

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL ACTION</b>
	:	<b>NO. 05-357-1</b>
<b>v.</b>	:	
	:	<b>CIVIL ACTION</b>
<b>DENROY GAYLE</b>	:	<b>NO. 11-6067</b>

**ORDER**

**AND NOW**, this 20<sup>th</sup> day of June, 2012, upon careful consideration of the defendant's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 (Doc. No. 164), the government's response in opposition (Doc. No. 181), and the defendant's reply thereto (Doc. No. 185), **IT IS HEREBY ORDERED** that:

1. The defendant's petition for relief pursuant to 28 U.S.C. § 2255 (Doc. No. 164) is **DENIED** and **DISMISSED**.
2. There is no probable cause to issue a certificate of appealability because the petitioner has not made a substantial showing of the denial of a constitutional right under 28 U.S.C. § 2253.
3. The Clerk of the Court is directed to mark this case **CLOSED** for all purposes.

BY THE COURT:

/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, J.